

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

MARK ALAN CHAR, #A0234438,) CIV. NO. 18-00202 HG-RLP
)
Plaintiff,) ORDER DENYING APPLICATION
) TO PROCEED IN FORMA
vs.) PAUPERIS BY A PRISONER AND
) DISMISSING MOTION FOR
ANTHONY SMITH, ASHLEY) APPOINTMENT OF COUNSEL
STIBBARD, ALAN LU, VICTOR)
LAW,)
)
Defendants.)
)
)

Before the Court is Plaintiff Mark Alan Char's Application To Proceed In Forma Pauperis By A Prisoner ("IFP application") and Motion for Appointment of Counsel. ECF Nos. 2, 4. Plaintiff's IFP application lacks (1) a signed prison certification of the amount in his prison account; and (2) a copy of his prison account statement showing deposits, withdrawals, and balances for the six months preceding the date he filed the Complaint. See 28 U.S.C. § 1915(a)(2).

Plaintiff also affirms that he owns "real estate, stocks, bonds, securities, other financial instruments, automobiles, or other property," but asks the Court to

contact his wife for information regarding the value of these assets.

The Court declines to contact Plaintiff's wife regarding his personal assets and DENIES his IFP Application as incomplete.

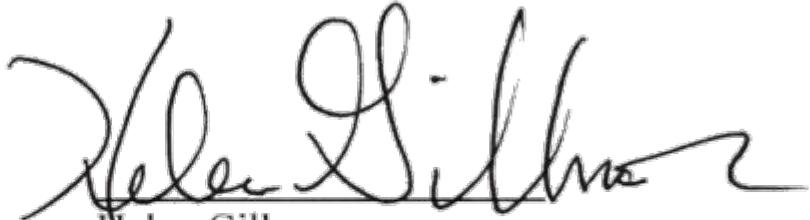
Plaintiff is ORDERED to submit a complete District of Hawaii form IFP application that contains the prison's certification of the amount in his prison account and a copy of his past six-month account statement, and sets forth Plaintiff's best estimation of his personal assets on or before **July 24, 2018**. Failure to do so will result in **automatic dismissal** of this action without prejudice for failure to prosecute without further notice. See Fed. R. Civ. P. 41(b); see also *Olivares v. Marshall*, 59 F.3d 109, 112 (9th Cir. 1995).

Plaintiff's Motion for Appointment of Counsel is DISMISSED and the Court will take no action on any other documents Plaintiff submits until he has paid the filing fee or been granted IFP status in this case.

The Clerk is DIRECTED to send Plaintiff a new Application To Proceed In Forma Pauperis By A Prisoner so that he can comply with this Order. The Clerk shall also send a copy of this Order to the Warden and Financial Office of the Oahu Community Correctional Center.

IT IS SO ORDERED.

DATED: June 19, 2018 at Honolulu, Hawaii.



Helen Gillmor
United States District Judge

Char v. Smith, et al., No. 1:18-00202 HG-RLP; ifp '18 Char 18-202 hg (dny incmp dsm apptcoun); ORDER DENYING APPLICATION TO PROCEED IN FORMA PAUPERIS BY A PRISONER AND DISMISSING MOTION FOR APPOINTMENT OF COUNSEL